

HAMILTON COUNTY BOARD OF COMMISSIONERS

MAY 29, 2001

The Hamilton County Board of Commissioners met on Tuesday, May 29, 2001 in the Commissioners Courtroom in the Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session. A quorum was declared of Commissioner Steven C. Dillinger, Commissioner Steven A. Holt and Commissioner Sharon R. Clark. The Pledge of Allegiance was recited by everyone.

Approval of Minutes:

Holt motioned to approve the May 21, 2001 minutes. Dillinger seconded. Holt and Dillinger approved. Clark abstained. Motion carried.

Executive Session Memoranda:

Clark motioned to approve the Executive Session Memoranda for May 29, 2001. Dillinger seconded. Motion carried unanimously.

206th Street and Hortonville Road: (Tape 1, #580)

Mr. Mike Wagner stated he lives at 206th Street and Hortonville Road. Mr. Wagner presented pictures of water going under his house after 206th Street was built. The road has been raised so high he can not get his camper getting in or out of his driveway because it hits bottom. Mr. Wagner has talked to the Highway Department and they have not come out to look at it. Holt stated Mr. Wagner spoke to him two weeks ago and Holt talked to Dave Landis and arrangements were going to be made for someone to go take a look at it the next day. Mr. Stevens stated he did receive a card with Mr. Wagner's phone number and the information, but it did not have any dates. There may have been a break down in communication. Dillinger asked the Highway Department to send someone to look at it and bring the information back to the next meeting.

Plat Approval:

Little Farms Addition:

Mr. Dave Barnes, Wiehe Engineers, requested approval of a secondary plat for Lot 41 in Little Farms Addition in Home Place. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Highway Business:

Open Road Cut Permit:

Mr. Locke requested approval of an Open Road Cut Permit, P2001309, for Clay Township Regional Waste at 3861 Penzance Place in the Ashbrook Subdivision for emergency lateral repair. Clark motioned to approve. Holt seconded. Motion carried unanimously.

Detour for 600W Project:

Mr. Locke stated Hancock County has sent a letter agreement regarding the detour for 600W Project at 96th Street and Fall Creek Road. Hancock County has agreed to install the signal under the federal aid contract. They would like Hamilton County to pick up 20% for the loops on Carroll Road and Fall Creek. That is estimated at \$500. Holt motioned to approve. Dillinger seconded. Mr. Locke stated Hancock County would also like Hamilton County to permit them to use this for their detour when they do their next project. We don't have a problem with that for next year, but not the year after when we start our project. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Highway Department:

Mr. Locke requested acceptance of Bonds/Letters of Credit for the Highway Department. 1) HCHD #B93-0046 - Peerless Insurance Company Continuation Certificate for Bond No. S M94917 issued to S&W Sewer & Water Inc. dba A&B Excavating in the sum of \$25,000 to now expire 5/21/02. 2) HCHD #B93-0062 - American States Insurance Company Continuation Certificate for Bond No. EX 864173 issued for Dotlich Contractors, Inc. in the sum of \$25,000 to now expire 6/10/02. 3) HCHD #B96-0062 - Fidelity and Deposit Company Rider for Bond No. LPM0000939 issued for Martin Moon dba Moon Excavating in the sum of \$25,000 to expire 5/17/02 and changing obligee name from Highway to Board of Commissioners. 4) HCHD #B01-0046 - Western Surety Company Permit Bond No. 69149040 issued for Kirt E. Jones Construction, Inc. in the sum of \$5,000 to expire 4/13/02. 5) HCHD #B01-0047 - Western Surety Company Permit Bond No. 69149031 issued for Kirt E. Jones Construction, Inc. in the sum of \$5,000 to expire 4/13/02. 6) HCHD #B01-0048 - Western Surety Company Permit Bond No. 69149037 issued for Kirt E. Jones Construction, Inc. in the sum of \$5,000 to expire 4/13/02. 7) HCHD #B01-0054 - Liberty Mutual Insurance Company Annual Permit Bond issued for Verizon North, Inc. changing the obligee name from Highway to Board of Commissioners. 8) HCHD #B01-0055 - The Cincinnati Insurance Company Performance Bond issued for George R. Harvey & Son, Inc. in the sum of \$236,354.92 on Bridge #17 to expire 5/4/03. 9) HCHD #B01-0056 - The Cincinnati Insurance Company Payment Bond issued for George R. Harvey & Son, Inc. in the sum of \$236,354.92 on Bridge #17 to expire 5/4/01. 10) HCHD #B01-0057 - Fidelity and Deposit Company Performance Bond issued for T&R Pavement Markings Inc. in the sum of \$10,000 for Category 8a, painted markings and Category 8b, thermoplastic markings to expire 5/1/02. 11) HCHD #B01-0058 - United States Fidelity and Guaranty Company Bond No. 400SD4321 issued for Summit Construction Company, Inc. in the sum of \$5,000 for a curb cut permit to expire 5/15/02. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Highway Department:

Mr. Locke requested release of Bonds/Letters of Credit for the Highway Department. 1) HCHD #B99-0058 - United States Fidelity and Guaranty Company Bond No. 310303070 issued for Central Indiana Contracting, Inc. in the sum of \$5,000. 2) HCHD #B00-0116 - United States Fidelity and Guaranty Company Bond No. 400SSD4310 issued for Summit Construction Co., Inc. in the sum of \$5,000 for a major commercial driveway permit. 3) HCHD #B01-0009 - Ohio Farmers Insurance Company Bond issued for ABC Contractors, Inc. in the sum of \$14,000 for Lamong Road Project, 2310 W. 236th Street, Sheridan, IN. Clark motioned to approve. Holt seconded. Motion carried unanimously.

Agreements: (Tape 1, #965)

Utility Agreements:

Bridge #66, 281st Street over Weasel Creek Utility Agreement:

Mr. Locke requested approval of Utility Relocation Agreement, HCHD #M-01-0035, for Bridge #66, 281st Street over Weasel Creek with Indiana Michigan Power Company. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Bridge #39, Joliet Road over Little Eagle Creek Utility Agreement:

Mr. Locke requested approval of Utility Relocation Agreement, HCHD #M-01-0037, for Bridge #39, Joliet Road over Little Eagle Creek with Verizon North, Inc. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Bridge #80, 256th Street over Bear Creek Supplemental Agreement:

Mr. Locke requested approval of Supplemental Agreement No. 1, HCHD #E-00-0014, for Bridge #80, 256th Street over Bear Creek with USI Consultants, Inc. Holt motioned to approve. Clark seconded. Clark asked how much is the agreement? Mr. Locke stated the additional amount is \$50,850 for a total of \$77,150. Motion carried unanimously.

Oak Ridge Road Construction of Gas Lines:

Mr. Locke requested approval of an agreement, HCHD #M-01-0034, for the construction of gas lines in proposed Hamilton County right-of-way with Westfield Gas Corporation. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Subdivision Inspection Agreement:

Brooks Manor:

Mr. Locke requested approval of Subdivision Inspection Agreements, HCHD #A-01-0003, for Brooks Manor in the amount of \$5,000 with RQAW Consulting Engineers and the owners Mac's Landing LLC. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Concurrence with Traffic Studies:

Mr. Locke requested concurrence with correspondence concerning investigations of requests for signage on Hamilton County Roads. Holt motioned to approve. Clark seconded. Clark stated cities put up "Duck Crossing" signs, apparently the IMUTCD does not recommend that. How do cities do that? Mr. Locke stated cities do that, but we do not feel it is the proper thing to do. It causes disregard for other signs. People stop looking at signs when they see so many yellow signs. Clark stated the IMUTCD disallows "Duck Crossing" and "Deer Crossing" signs? Mr. Locke stated there is a standard sign for "Deer Crossing", but there is not a standard sign for "Duck Crossing". Clark asked if it is up to the local jurisdiction? Mr. Locke stated if they want to use non standard signs they can do that but it would be difficult for us to defend that in court and it causes disrespect for the signs people need to be looking at. Dillinger asked about the "No Outlet" sign on 98th Street, is there a sign there? Mr. Locke stated there is a sign there that has been there for a long time. It is one of those cases that the sign is in place, but no one pays attention to it because they get so used to seeing it. Dillinger and Holt approved. Clark opposed. Motion carried.

Official Actions: (Tape 1, #1202)

151st Street No Passing Zones:

Mr. Locke requested approval of an official action to modify the No Passing Zones on 151st Street from Oak Road to Gray Road in Washington Township. Holt motioned to approve. Clark seconded. Motion carried unanimously.

96th Street and Fall Creek (East Junction) Project:

Mr. Locke requested approval of correspondence with United Consulting Engineers regarding the 96th Street and Fall Creek Road (East Junction) Project, we have requested United Consulting to prepare a design exception request. One of the exceptions is for the distance between the inside of the lane maker and edge of curb reducing it down from 3' to a few inches so the cross section will be similar to what we have done on 146th Street. If they do not do the design exception it will be similar to the 96th Street Project where there is more space in that area. The second issue is for super elevation of the road at the intersection of 96th Street primarily on Carroll Road. We are asking not to have to super elevate that and super elevation formulas are based on speed limit, but that is also on a curve and they will have to come to a stop to turn left or right. Mr. Locke stated these are set up for his signature, but Mr. Locke is requesting concurrence. Holt motioned to concur with the Engineer's position. Clark seconded. Motion carried unanimously.

Request to Condemn Parcels:

Bridge #33, 106th Street Project:

Mr. Locke requested approval of condemnation of Parcel 02 - Morris C. & Marilyn N. Rowlett - .022 acres permanent right-of-way and .0009 temporary acres; Parcel 02a - Coppergate Homeowners Association and Parcel 04 - Nancy Meek Iverson - .180 acres permanent right-of-way for Bridge #33 Project, 106th Street. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Small Structure #0098-162, 186th Street Project:

Mr. Locke requested approval of condemnation of Parcel 04 - Mike Jr. & Angela Hilfiker - .037 acres permanent right-of-way and .032 temporary right-of-way for Small Structure #0098-162, 186th Street Project. Holt motioned to approve. Clark seconded. Motion carried unanimously.

US 31/146th Street Ramp Project:

Mr. Locke requested approval of condemnation of Parcel 05 - George & Benita Loperena - .338 acres permanent right-of-way for the US 31/146th Street Ramp Project. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Bridges #31-#32 Springmill Road Project:

Mr. Locke requested approval of condemnation of Parcel 01 - Billy Creek Associates - .402 acres permanent right-of-way and .007 acres temporary right-of-way; Parcel 02 - Eleanor F. Bookwalter - .336 acres permanent right-of-way and .007 temporary right-of-way; Parcel 03 - Eleanor F. Bookwalter - .234 acres permanent right-of-way and .027 acres temporary right-of-way; Parcel 04 - Robert & Sydney Book - .395 permanent right-of-way and .026 temporary right-of-way; Parcel 05 - Brian & Margot Pahud - .406 permanent right-of-way and .003 acres temporary right-of-way. Holt motioned to approve. Clark seconded. Motion carried unanimously.

US 31 Corridor Interchange Study:

Mr. Matt Morasch presented the US 31 Corridor Interchange Study results. The study covers just south of 191st Street to 296th Street. Mr. Morasch requested concurrence so the Highway Department can present it to the Plan Commission for adoption into the Thoroughfare Plan. Holt motioned to concur. Clark seconded. Clark asked if these plans parallel the INDOT US 31 Study? Mr. Morasch stated no, they are at a different stage of planning. Clark stated we should not be looking at plans that involve interchanges the State is looking at. Mr. Morasch stated we are looking at interchanges everywhere we cross US 31 with an arterial type roadway. Clark asked if you are designing an urban interchange, even for secondary arterials? Mr. Morasch stated correct, there is a layout design which gives some flexibility. Clark stated this is for planning and right-of-way acquisition for protecting right-of-way? Mr. Morasch stated correct. Motion carried unanimously.

Cammack Road Alignment Study:

Mr. Morasch stated the second public hearing on the Cammack Road Alignment was held April 24, 2001. Twenty-three people attended the meeting and we received six written responses. We presented two options. The first option is a totally new alignment. The second option would be to tie into the existing Cammack and modify both ends. The first option is a long term option and several parcels would have to be developed before all the right-of-way could be obtained. The second option you could eliminate the offsets as a Phase 1 and not have a full build out and that would only involve two parcels for right-of-way to be obtained. Mr. Morasch stated there is no preferred recommendation from the public or the highway department. The first option is a little shorter so construction costs are a little cheaper. The second option is longer and the construction cost will be higher. Dillinger asked which one constructionally sound? Mr. Morasch stated his opinion would be Option #1 which is the new alignment due to ease of construction, no utilities to deal with, less existing homes to deal with, you could use the existing Cammack for traffic control. Clark asked if this would just reserve right-of-way? Mr. Morasch stated correct. Holt asked if the 23 people that attended the planning meeting know this was on the agenda today? Mr. Morasch stated we did not send them a direct notice that it was on the agenda but we did tell them once we got the responses back after a two week period it would be on the following Commissioner's agenda. Dillinger motioned to accept Option A. Clark seconded. Dillinger modified his motion to accept Alignment #1. Clark seconded. Dillinger and Clark approved. Holt abstained. Motion carried.

131st Street Improvement Budget:

Mr. Tom Stevens stated at the last meeting we discussed alignment of the problem area on 131st Street between the Boone County Line and West Road whereby the road could be reconstructed between those two points and not have to purchase any right-of-way from the Upton's. The Highway Department has come up with estimated costs. There are five parcels involved with total estimated costs for right-of-way including engineering, appraising, purchasing, acquisition and surveying is \$87,000. This would construct a 24' wide pavement with aggregate shoulders. The estimated cost of construction is \$172,000. We are looking at over \$200,000 for construction. Clark asked why are we reconstructing that little piece of road? Mr. Stevens stated we went through the process of defining the apparent right-of-way and we found out the county owns 16' of pavement with a severe drop off on the edge of it and we can not maintain that roadway without getting off the roadway and we have been instructed not to do so. This is a way to get a good usable road at this location. Clark asked what is the width of the rest of 131st Street? Mr. Stevens stated 20'. Clark asked what is the traffic count? Mr. Stevens stated he does not have that information with him. There is approximately 30' of pavement coming from Boone County from the west. Dillinger stated this creates a very dangerous situation. Clark stated it is a very dangerous situation but \$260,000 to build a quarter mile of road for 200-300 cars is unacceptable to her. Clark stated she would extend the pavement to 20' to make it the same as the rest of 131st Street. Mr. Stevens stated that is a possibility, but it can not be done on the existing alignment due to the courts determination that we own to the edge of pavement. The existing 16' of pavement can not be widened without acquiring right-of-way. Holt stated Clark's point is well taken, given the funding needs around the county is that the best use of our resources? Holt asked if there is a lesser fix that would dramatically increase the level of safety and not be as costly? Mr. Stevens stated there is but it would not be dramatically less because any fix that would do, considering the court judgement, is going to require the purchase of right-of-way and the realignment of the road at new construction. If you would reconstruct a 20' pavement on a new alignment it would be reduced somewhat, but not drastically. Mr. Howard asked if this budget includes taking right-of-way from Upton near the house? Mr. Stevens stated it requires taking right-of-way from the Upton's by the west limits by Boone County. We believe there would be no damages to their home. Holt asked if we have the funding for this project? Mr. Stevens stated we do not have appropriated funds. Holt asked if we could do 20' chip and seal? Mr. Howard stated we would be encroaching 2'. Holt asked if we could acquire the right-of-way and build a road that is compensatory with the traffic level. Dillinger asked Mr. Stevens to get the traffic count and look at alternatives B and C in terms of construction costs at the next meeting. Holt asked if it was a 20' section instead of a 24' section could right-of-way be scaled back? Mr. Stevens stated he arrived at the 40' because that is the minimum of right-of-way required to take a roadway into the county system by State statute. Something could be constructed on a narrower right-of-way if you forgo any drainage or utilities using the right-of-way. Mr. Howard asked if the existing utilities on the north side would have to be relocated? Mr. Stevens stated yes. We have assumed the relocation would be their costs.

Council Highway Committee Meeting:

Mr. Stevens stated there is a Council Highway Committee meeting scheduled for Friday, June 1st at 8:30 am. We have several additional requests before County Council. No Commissioner is available for this meeting.

Right-of-Way Acquisition:

Mr. Howard requested approval of the resolution of the Arthur Johnson right-of-way acquisition for a total of \$7,500 which would require \$4,000 to be transferred out of Cum Bridge. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Dillinger called a break at 1:35 pm. Dillinger called the meeting back to order at 1:55 pm.

ISSD: (Tape 1, #2252)

Ms. B.J. Casali reminded the Commissioners of the Technology Forum on June 6th from 3:00-7:00 pm in the ISS Department. Ms. Casali stated we are adding to the Internet site and one item is a search for tax information and she asked the Commissioner's opinion on how they feel about being able to search by name as well as property address and parcel number? Holt stated he thinks it should be by

property not by name. Dillinger asked what is the disadvantage of having the search by name? Ms. Casali stated it is a privacy issue. Dillinger stated he thinks it should be listed by name. Holt motioned to table. Motion died to lack of a second. Clark motioned to make it available on the Internet. Dillinger seconded. Holt asked if they realize that any sophomore in high school can look up the home floor plan of any girl he fancies. This is a terrible invasion of privacy for people who have no legitimate business purpose and would never go to the courthouse to look up information. Clark stated she thought there were just numbers that came up. Ms. Casali stated currently there are just numbers, eventually there will be the Assessor's data. Holt asked if someone chooses to have an unlisted phone number and they are protected because you do not know where they live. We defeat this by making that information available to people who have no legitimate purpose for having it. Dillinger, Clark and Holt opposed. Motion denied. Holt motioned that we do not list by last name on the Internet. Clark seconded. Motion carried unanimously. Ms. Casali requested a sale of surplus property be held soon. They are overflowing in the sub-basement with computers that we have replaced this year. Holt motioned to have a sale in early August. Clark seconded. Motion carried unanimously.

New Hires for ISSD:

Ms. Casali stated the ISS Board have requested and approved the concept of hiring two more employees for the ISS Department. We need increased support for the township assessors. We are servicing the Sheriff's Department, the Parks Department. We should have someone checking the remote sites everyday to see that their needs are covered. Database applications are becoming more complex. Clark stated the ISS Department desperately needs two more employees and Clark motioned to approve. Holt seconded. Clark and Holt approved. Dillinger opposed. Motion carried.

Collection Agency for Personal Property Tax Delinquencies:

Mr. Howard stated IC 5-22-6-25-3 authorizes a unit of government to enter into an agreement with a collection agency. The County Treasurer has three basic collection issues, 1) Real Property Tax, which is taken care of by the Tax Sale statute; 2) Bad Checks, we have started a system for bad check notices from his office; 3) Personal Property Taxes. Atlas Collections is working with several counties throughout the State. Their agreement states there would be a 35% fee added on partial collections then it would be pro-rata. Atlas Collections would do the collections, reports would be made to the Treasurer and the contract is authorized by the State. Mr. Howard stated he has reviewed the contract, suggested some revisions and it is in proper form. Dillinger asked where is this company from? Ms. Wilson stated Muncie. There is no one locally that specializes in this. There are 18 other Treasurer's that have been using them for awhile. Dillinger asked if this is something that any collection agency could do? Mr. Howard stated they probably could. We have not initiated any other discussions. Ms. Wilson stated this agency came through the Treasurer's Association. Dillinger stated he does not know if 35% is good or bad. Holt asked what kind of volume are you talking about? Ms. Wilson stated she thinks we have approximately \$3-\$5 million in outstanding personal property taxes. These have all been certified to judgements. We have followed all the steps we can do, but we do not have time to go into the collection portion. Holt stated he thinks this is a high fee. Holt motioned to table and look around for other agencies. Clark seconded. Motion carried unanimously.

Lantern Road Home: (Tape 1, #3149)

Mr. Chuck Kiphart stated there has been no movement on the Mary Ellen Smith home on Lantern Road. The grass has not been mowed. Nothing has been done. The individual wanting to put a bid on it has said he will not do anything. Mr. Kiphart requested approval to get bids and let her know we are pursuing this. Clark motioned to approve. Holt seconded. Motion carried unanimously.

131st Street Traffic:

Clark stated she was wrong on the traffic count on 131st Street. It is 1200 not 200.

Commissioner Committee Reports:

Emergency Management Advisory Council:

Clark stated we have received a request from the Emergency Management Advisory Council to pursue the possibility of moving the Emergency Management Office to the old highway grounds. Clark would advocate we do that. The difference would be in costs for utilities for next year's budget. The cost of moving would be negligible. Mr. Swift stated the utility costs are already built into next year's budget. Their board has approved the move. Clark stated the utilities would increase the 2002 budget approximately \$7,000 which would not be in their budget if they stay in their current location. Cleaning the carpet is the only cost for the move that they would have to incur. They are requesting we support them in this move. Dillinger stated he is adamantly opposed to it. They have plenty of room where they are and they are where they need to be. There are more viable things that this office could be used for. Clark stated there are two people working in an office that was not meant for two people. They are out of space. They have no storage. Dillinger stated there are places we can store things. There are buildings at the old highway department that could be used for storage of all kinds of county items. They need the supervision of the Sheriff's Department. Clark asked if it would help if she brought members of the Emergency Council to discuss their needs? Dillinger stated no. Clark motioned to encourage the Commissioners to facilitate this move on recommendation from the Emergency Management Advisory Council. No second. Motion died. Clark asked if there is any recommendation she should take back to the Emergency Management Advisory Council as to how you would see them operating in the space they have? Dillinger stated his advice would be to see what kind of storage space we have at the old highway garage and if it is an equipment storage problem we could hopefully facilitate that. Clark asked if you have no problems leaving the people at the Sheriff's Department? Dillinger stated absolutely not. Holt stated he does, the space they have is not sufficient. There is a synergy of having everybody at the Sheriff's Department during an emergency. He has additional concern with precious county space that we are going to put two people in a building that previously housed 14. He does not know if that is a good use of limited resources. Holt asked if it would make sense to get a representative or two from the advisory committee, the Sheriff and commissioner representation and see if there is not some middle ground that could be struck. In the long term is there larger office space programmed for Emergency Management? Dillinger stated there has not been any design on the potential new jail. It could be part of the Criminal Justice Committee study that is going on right now. Holt asked if there is a request for more office space by the Sheriff? Dillinger stated there are no requests now, they are looking at our entire system to see if there are any changes that can be made to facilitate to help alleviate some of those problems. They are also looking at what kind of facilities we need. Deputy Farley stated there are no spare offices in the administrative side of the Sheriff's Department. Holt stated this will not be sorted out this afternoon, we need to meet with the Sheriff and representatives of Emergency Management. The other unanswered issue is what is the Solid Waste District going to do in terms of supervision and we need to come to terms with that before we make this move. Clark stated her charge is to bring back a recommendation from the joint group and she would like to know if Emergency Management was targeted to be in the jail when it was built? If we are going to stay at the jail we need to get this in the Criminal Justice Survey. Holt stated he would be willing to attend that meeting and he asked Dillinger to attend. This meeting should be an advertised meeting.

Attorney: (Tape 2, #318)

Ordinance 5-29-01-B, Amending the Employee Handbook:

Mr. Howard introduced Ordinance 5-29-001-B, Amending the Employee Handbook, amending Section 1.3 Personnel, Administration Committee - Job Classification System and inserting a new section 5.4 concerning Computers and E-mails. Holt motioned to introduce Ordinance 5-29-01-B. Clark seconded. Motion carried unanimously.

Ordinance 5-29-01-C, Approves List of Jobs:

Mr. Howard introduced Ordinance 5-29-01-C, 1. Approves a List of Jobs within Hamilton County Which are Exempt under the Fair Labor Standards Act; 2. Amends Certain Provisions of the Personnel Policy of Hamilton County; and 3. Establishes a Benefit for Exempt Employees to be Known as "Excess Benefit Time". Holt motioned to introduce Ordinance 5-29-001-C. Clark seconded. Motion carried unanimously.

Novitski Land Acquisition Letter Agreement:

Mr. Howard requested approval of a letter agreement for 146th Street Land Acquisition with Gary L. Novitski and Nancy J. Novitski. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Super 8 Motel Innkeepers Tax:

Mr. Howard stated he has received an E-mail regarding the Super 8 Motel delinquent Innkeepers Tax stating the corporation that was paying the tax has been dissolved. Mr. Howard will track down the property owner and get that information to the Prosecutor by the end of the week.

Administrative Assistant: (Tape 2, #455)**Tippecanoe County Commissioner:**

Mr. Fred Swift stated one of the Tippecanoe County Commissioner's will be coming to Hamilton County tomorrow to see our facilities.

Dance Studio Discount:

Mr. Swift presented a request to distribute a flyer offering a 10% discount to county employees for dance lessons. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Weights & Measures Travel Request:

Mr. Swift stated Buddy Clark, Weights & Measures Inspector has requested approval to travel to the Weights & Measures Convention in Washington DC from July 19-26, 2001. This request is also for Carey Woodard, his assistant. He will be taking the proofer to New Jersey for calibration and then travel to Washington DC and return to New Jersey to pick up the equipment. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Prosecutor's Mail Slot:

Mr. Scott Warner stated we have had difficulties regarding security of the mail slot designs for the Prosecutor's office. Mr. Warner presented a drawing of a custom box that is available. It could be installed in the window, but it could also be installed on the wall and would cost \$1,000 less than mounting it through the window. Holt asked how much is this estimate? Mr. Warner stated \$2,000 through the wall and \$3,000 through the window. This is a locking box, a key would be issued only to the people needing to put information into the box. The other box is not secure and anyone could place something in it. Holt asked why does it have to be different from the child support box on the other side? Mr. Warner stated the Prosecutor is concerned that we have controls on items coming through that box. Mr. Swift stated the Commissioners were also concerned about appearance. Clark asked if it would extend out from the wall? Clark stated she would like to have it flush with the wall. Mr. Warner stated according to the drawings it looks like it is flush with the surface of the brick, except for the door. Clark motioned to go with the new design. Holt seconded. Motion carried unanimously.

Overhead Door:

Mr. Warner had budgeted to replace the coiling overhead door in the receiving area because the springs are broken and the mechanism is broken. The cost for a new door is the same as the repair. He had intended to replace the door with another coiling door that would be insulated. Mr. Warner would like to keep the door we have in the retracted position so it would still work as a fire door and then install double steel doors that would remain closed at all times. This would give a better insulating factor. Clark asked what is the cost? Mr. Warner stated approximately \$3,000 and it is in the budget. Clark motioned to approve. Holt seconded. Motion carried unanimously. Mr. Warner asked if the Commissioners would be opposed to putting in a second set of doors where the boiler and air handling equipment is? This would be for the insulating factor. Clark asked if you have money for it? Mr. Warner stated yes. Holt stated he would like to see how one door works, before we install a second door. Holt motioned to table the

request. Clark seconded, but she would like Mr. Warner to come back to the Commissioners with the second request before the winter. Motion carried unanimously.

Buildings and Grounds 2002 Budget:

Mr. Warner asked if there is anything the Commissioners feel he needs to include in the 2002 Buildings and Grounds budget? No suggestions were made.

Emergency Management Offices:

Dillinger told Mr. Bob Hendericks that his office space situation has been discussed, it has been tabled. The option of the highway facilities is not an option. Clark stated the recommendation was that we form a committee with the Emergency Management Advisory Committee representative, Sheriff and all three Commissioners. We are looking at a total criminal justice needs assessment right now. Everyone liked the idea of Emergency Management being located in that environment, but we have acknowledged that where you are right now is not sufficient. By getting everyone together we can look at several scenarios. We don't know what Solid Waste is going to take at the old highway facilities. Mr. Hendericks asked that he would be consulted during this process? Clark stated absolutely.

Sheriff:

Chairs:

Deputy Farley requested permission to purchase two chairs for the control room. Holt motioned to approve. Clark seconded. Clark asked if you have the money? Mr. Swift stated there is money in the furniture budget. Motion carried unanimously.

Auditor: (Tape 2, #1034)

Emergency Management Meeting:

Ms. Robin Mills requested the Auditor be made aware of the meeting to discuss Emergency Management, so it can be advertised? Clark stated yes.

Household Hazardous Waste Interlocal Agreement:

Ms. Mills requested approval of the Household Hazardous Waste Interlocal Agreement. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Prevail Contract for 2002:

Ms. Mills requested approval of the 2002 Prevail Contract. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Denial of 17T (Claim for Refund):

Ms. Mills requested denial of a Form 17T, Claim for Refund, denied by the County Auditor in accordance with IC6-1.1-26-1. The County Commissioners must deny this claim in accordance with IC6-1.1-26-4 so the taxpayer may continue the appeals process. We can only go back and refund 3 years and this taxpayer has been refunded the 3 years and is asking to go back 2 more years. By statute we can not do that. Holt motioned to deny. Clark seconded. Motion carried unanimously.

Clerk of the Circuit Court Monthly Report:

Ms. Mills requested acceptance of the monthly report from the Clerk of the Circuit Court for April 2001. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Drainage Board:

Ms. Mills requested acceptance of Bonds/Letters of Credit for the Drainage Board. 1) HCDB-L01-0003 - First Union Bank Irrevocable Standby Letter of Credit No. SM416514C for the reconstruction of the Margaret O'Brien Drain in Crosspointe Business Park - \$50,080.00. 2) HCDB-L01-003A - First Union Bank Irrevocable Standby Letter of Credit No. SM416514C for the reconstruction of the Margaret O'Brien in Crosspointe Business Park - \$50,080.00 (Amendment to the original Letter of Credit extends the expiration date and identifies the name of the drain to be reconstructed.) 3) HCDB-B01-008 - Gulf Insurance Company Subdivision Bond No. BE0949568 for the reconstruction of the Oliver Shoemaker Drain through Woodberry Sec. 6 - \$75,551.00. 4) HCDB-B01-009 - American Motorists Insurance Company Performance Bond No. 3SM004557 for Kingsborough Sec. 4 Storm Sewers - \$77,034.00. 5) HCDB-B01-010 - American Motorists Insurance Company Performance Bond No. 3SM0046558 for Kingsborough Sec. 4 subsurface drains - \$16,550.00. 6) HCDB-B01-011 - American Motorists Insurance Company Performance Bond No. 3SM004559 for Kingsborough Sec. 4 erosion control - \$7,500.00. 7) HCDB-B01-012 - American Motorists Insurance Company Performance Bond No. 3SM004560 for Kingsborough Sec. 4 monuments and markers - \$2,560.00. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Vendor Claims:

Ms. Mills requested approval of Vendor Claims to be paid May 30, 2001. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Payroll Claim Signing:

Ms. Mills requested a time to sign Payroll Claims on Monday, June 4, 2001. Claims will be signed at 9:00 am.

North Meridian Heights Drainage Ditch:

Clark asked if anyone from the highway department has talked to the two people in the North Meridian Heights subdivision on both sides of the drainage ditch? Mr. Locke stated we are waiting on a reply back from the County Surveyor. Clark stated we received that in Drainage Board this morning. Mr. Locke stated they have not received it.

Animal Control Ordinance:

Clark asked Mr. Howard the status of the Animal Control Ordinance? Mr. Howard will prepare it for introduction at the next meeting.

Possible New Commissioner and Council Districts:

Clark introduced, for the record, her suggestions for the new Commissioner and County Council Districts.

Bridges:

Dillinger stated there are three bridges waiting on condemnations, Bridge #123, 111th Street and Gordon Ditch - Mr. Howard stated there are property owners are out of the country and we are sending the suits now. Bridge #60, Green Road over Cicero Creek - Mr. Howard stated legals are in, the right-of-ways have been reduced and when Mr. Knapp returns the documents will be ready for the property owners. Bridge #82, Crooked Creek Avenue and Cicero Creek - Mr. Stevens stated the issues are soil borings. Mr. Howard stated that is one that is not in his court. Mr. Stevens stated we thought Mr. Howard was going to arrange entry into the property for the soil borings. Mr. Howard is not aware of it, but he will check in to it. 106th Street and College Avenue Environmental - Mr. Howard stated he has spoke to Dave Hatchett and he may have something in writing now to try to decide the best way to go about the environmental issues for the underground storage tank. Dillinger asked for a current update on these items at the next meeting.

Holt motioned to adjourn. Clark seconded. Motion carried unanimously.

Commissioners Correspondence:

Small Structure Replacement Notice of Transmittals (2) - Beam Longest & Neff

116th Street & Olio Road Notice of Public Hearing - Town of Fishers

Ashford Pointe Lot 4 Notice of Public Hearing - City of Noblesville

IDEM Notice of Sewer Permit Applications:

Centennial Townhomes, Phase II - Westfield

Meadow Brook, Section 1 - Fishers

IDEM Notice of Appeal Rights:

The Horizon - Fishers

Brighton Woods, Section 2 - Carmel

Village of West Clay, Section V02 - Carmel

Present:

Steven C. Dillinger, Commissioner

Becki Wise, USI

Steven A. Holt, Commissioner
Longest & Neff

Jerry Larrison, Beam,

Sharon R. Clark, Commissioner
Star

Scott Miley, Indianapolis

Robin M. Mills, Auditor

Sally Wilson, Treasurer

Fred Swift, Administrative Assistant to Commissioners

BJ Casali, ISS Manager

Kim Rauch, Executive Secretary to Auditor

Tom K. Stevens, Highway Director

Les Locke, Highway Engineer

APPROVED

Michael A. Howard, Attorney
OF COMMISSIONERS

HAMILTON COUNTY BOARD

Wayne A. Farley, Sheriff's Deputy

Amy Rayle, Highway Public Service Representative

Virginia Hughes, Administrative Assistant to Highway Engineer

James Farrell, Highway Inspector

Steve Broermann, Highway Technical Engineer

Tim Knapp, Highway Right-of-Way Specialist

Matt Morasch, Transportation Development Engineer

Matt Knight, Highway Staff Engineer

ATTEST

Dustin Teachnor, Highway Assets Manager

Faraz Hahn, Highway Department

Michael Wagner, 229 E. 206th Street, Sheridan, IN 46069

Robin M. Mills, Auditor

Holly Fricks, Ledger

Kate Lewis, Ledger

David Barnes, Weihe Engineers

Mike Moran, 104th Street lot

Floyd Burroughs, Floyd Burroughs & Associates

Dave Richter, United Consulting

BJ Casali, ISS Manager